

REMARKS/ARGUMENTS

Claims 1-30 are pending in the application. Claims 1-4, 8, and 27-30 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by U.S. 4,892,543, Turley. Claims 27-29 are rejected under 35 U.S.C. Claims 1, 2, 5-13, and 16-30 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by FR 2 728 459 A1, Guilbert et al. Claims 3, 4, 14, and 15 are rejected under 35 U.S.C. 103 (a) as being unpatentable over FR 2 728 459 A1, Guilbert et al. Applicant respectfully requests reconsideration.

Applicant respectfully disagrees with Examiner's contention that the frame of Turley has a generally circular opening between inner portions of said haptics. The figures and the specification, in particular column 3 lines 43-46, state that the variable component 60 includes a rigid central element having a flat forward circular **surface** and ... a flat circular rear **surface**. The Examiner proposes a definition that an "opening" is an open space affording passage or view: APERTURE. How can a flat **surface** be an open space? In any event, Applicant has amended Claim 1 and 12 to further define that the generally circular opening is disposed through the frame. Applicant's specification clearly shows that the generally circular opening of Applicant's frame is disposed through said frame.

Applicant respectfully disagrees that Guilbert's circular lens has haptics that extend oppositely to engage peripheral portions of a capsular bag. In any event, Applicant has amended Claim 1 and 12 to further define that the haptics also extend longitudinally. The circular lens of Guilbert clearly does not have haptics that extend longitudinally.

Applicant respectfully disagrees that the Guilbert, Smith or the Turley references teach or disclose a pair of relatively rigid spaced-apart frame members adapted for engagement with the periphery of a capsular bag of the eye. In any event, Applicant has amended Claim 27, to further define the frame members in that the pair of frame members are disposed oppositely and longitudinally about said optic, and the frame members having end portions extending oppositely and transversely to engage in the peripheral portion of the capsular bag.

Applicant submits that Claim 1, as amended, is allowable over the cited prior art. Applicant submits that each claim depending from Claim 1 is allowable, since depending from Claim 1 they are not taught, disclosed or otherwise made obvious by the cited references.

Applicant submits that Claim 12, as amended, is allowable over the cited prior art. Applicant submits that each claim depending from Claim 12 is allowable, since depending from Claim 12 they are not taught, disclosed or otherwise made obvious by the cited references.

Applicant submits that Claim 27, as amended, is allowable over the cited prior art. Applicant submits that each claim depending from Claim 27 is allowable, since depending from Claim 27 they are not taught, disclosed or otherwise made obvious by the cited references.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2375, under Order No. HO-P02090US0 from which the undersigned is authorized to draw.

Dated: JUNE 13, 2002

Respectfully submitted,

By

Edward D. Steakley

Registration No.: 47,964

FULBRIGHT & JAWORSKI L.L.P.

1301 McKinney, Suite 5100

Houston, Texas 77010-3095

(713) 651-5151

(713) 651-5246 (Fax)

Attorneys for Applicant



Version With Markings to Show Changes Made

Claims 1, 12, 27 and 28 have been amended as follows:

1. (Once Amended) An intraocular lens assembly for increased depth of focus, comprising:

a frame having haptics extending oppositely and longitudinally to engage peripheral portions of a capsular bag, said frame being configured to vault posteriorly in an eye of a person,

said frame having end portions to engage in the periphery of the capsular bag of an eye,

said frame defining a generally circular opening disposed through said frame, said opening positioned between inner portions of said haptics,

an optic sized and configured to engage in an edge portion of said frame opening, and

interengaging features on the frame and on the optic for attachment of the optic to the frame for limited optic movement relative to the frame,

whereby light refracted by the cornea of the eye travels an increased distance to the optic to substantially increase depth of focus.

12. (Once Amended) An intraocular lens assembly for increased depth of focus, comprising:

a frame of generally rigid material and configured to vault posteriorly in an eye of a person, said frame having haptics extending oppositely and longitudinally therefrom to engage peripheral portions of a capsular bag,

said frame defining a central generally circular opening disposed through said frame,

said frame having transverse slots spaced oppositely from said frame opening, and

an optic adapted to be disposed adjacent said frame opening, said optic having mounting portions extending oppositely therefrom for engagement in said frame slots to retain the optic relative to the frame,

whereby light refracted by the cornea of the eye travels an increased distance to the optic to substantially increase depth of focus.

RECEIVED
JUN 19 2002
TC 3700 MAIL ROOM

27. (Once Amended) An intraocular lens assembly for increased depth of focus, comprising:

a pair of relatively rigid spaced-apart frame members adapted for engagement with the periphery of a capsular bag of the eye, said pair of frame members disposed oppositely and longitudinally about said optic, said frame members having end portions extending oppositely and transversely to engage in the peripheral portion of the capsular bag, and

a web secured to and extending between said frame members and having thereon an optic,

said web being secured to the frame members by (a) integral molding with the frame members, (b) spot-welding, (c) fastener elements.

Claim 28 has been amended as follows:

28. An intraocular lens assembly according to Claim 27, wherein said end portions are [frame members have end] loop portions extending oppositely and transversely to engage in the peripheral portion of the capsular bag.